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January 31, 2008

**Via ECF and Facsimile**

Hon. William H. Pauley III  
U.S. District Court  
Southern District of New York  
500 Pearl Street  
New York, New York 10007

**Re: American Beer Distributors v. Shelton Brothers, Inc.**  
**Case No. 07-cv-8397 (WHP)**

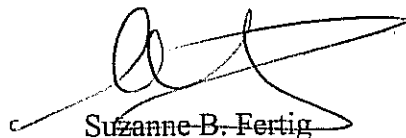
Dear Judge Pauley:

This firm represents American Beer Distributors Co., Inc. ("Plaintiff") in the above-referenced matter. On December 17, 2007, the parties respectfully requested an adjournment of Initial Case Management Conference scheduled for Friday, December 21, 2007 at 10:45 a.m. as the parties have reached an agreement to settle this matter. In response to that request, on December 20, 2007, Your Honor issued an order discontinuing the action without costs to any party, and without prejudice to restoring the action to this court's calendar if the application to restore is made within forty-five days (45) of the date of the Order.

As of this date, the parties have been unable to enter into a formal settlement agreement. Accordingly, Plaintiff hereby requests that this action be restored to this Court's calendar.

Thank you for your consideration of this matter.

Respectfully yours,



Suzanne B. Fertig

SBF/st

cc: George F. Carpinello, Esq. (via facsimile (518) 434-0665)